



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, DC 20380-0001

MCO 5510.16A
INT
29 Aug 89

MARINE CORPS ORDER 5510.16A

From: Commandant of the Marine Corps
To: Distribution List

Subj: USMC LIAISON WITH REPRESENTATIVES OF FOREIGN
GOVERNMENTS/INTERESTS

Ref: (a) SECNAVINST 5510.31A
(b) OPNAVINST 5510.48J
(c) OPNAVINST C5510.159 (NOTAL)
(d) NATIONAL DISCLOSURE POLICY (NDP-1) (NOTAL)
(e) JCS MOP 161 (NOTAL)
(f) OPNAVINST 5510.1H
(g) MCO 4630.16B
(h) MCO 4950.2
(i) OPNAVINST 4650.11E
(j) MCO 5512.4L
(k) MCO 1050.15

Encl: (1) Definitions
(2) Procedures for Official Visits/Functional
Accreditation
(3) Procedures for Document Requests

1. Purpose. This Order is to provide guidance for liaison between representatives of the Marine Corps and those of foreign governments/interests. Furthermore it establishes policies, procedures, and authority within the Marine Corps for the processing of official visit/document requests from foreign governments and organizations.

2. Cancellation. MCO 5510.16.

3. Background. References (a) and (b) promulgate guidance for the control of representatives of noncommunist countries. Procedures and policies for visits by nationals from communist countries are contained in reference (c). Disclosure policies are outlined in references (b) and (d). It is essential that visit/document requests be coordinated to ensure that the interests of the U.S. Government and the U.S. Marine Corps are adequately served.

4. Action

a. The Director of Intelligence (CMC (INTM))

(1) Conducts liaison with foreign military attaches and services.

(2) Acts as primary point of contact for providing the foreign military attaches and their representatives a means to increase their contacts and improve their communications with the U.S. Marine Corps.

(3) This paragraph canceled via MCO 5510.20

(4) Coordinates and/or approves official visits between Marine Corps and foreign government representatives. As per reference (e), official visit requests from unified and specified commands will be coordinated with that command, with an information copy to be forwarded to the CMC (INTM).

b. Director, Special Projects Directorate (CMC (SPD)). Responsible for visits by foreign Marine Corps commandants and other distinguished guests visiting Headquarters Marine Corps or other Marine Corps commands/activities, under the sponsorship of the Commandant of the Marine Corps or the Assistant Commandant.

c. Director of Public Affairs (CMC (PAM)). Responsible for visits to Marine Corps installations by foreign journalists and free-lance writers. All such requests will be coordinated with the U.S. Information Agency for U.S. Government clearance and approval. All such visits will be on an unclassified basis.

d. Director of Marine Corps History and Museums (CMC (HD)). Establish liaison with other agencies, Government and civilian, foreign and domestic, in the furtherance of the objectives of the Marine Corps Historical Program. Ordinarily, routine requests for historical information in the public domain are exempted from the provisions of this Order as is attendance at international historical or museology conferences.

e. Director, Administration and Resource Management Division (CMC (ARE)). Review document requests from the CMC (INTM) for release and provide the requested documents to an appropriate official of the requesting government or international organization.

f. This paragraph canceled via MCO 5510.20

5. Definitions. The definitions used in this Order are contained in enclosure (1).

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6. Procedures for Official Visits/Functional Accreditation.

Requests to Marine Corps commands/activities are submitted in writing by the sponsoring foreign government or international organization to the Navy Office of Technology Transfer and Security Assistance (NAVOTTSA). Care shall be exercised to preclude any attempted use of military arrangements for private commercial purposes, or as a means of evading the State Department's International Traffic in Arms Regulations, or the Department of Commerce's Export Administration Regulations. See enclosure (2).

7. Procedures for Unofficial Visits. Department of the Navy regulations permit commanding officers to host visits by foreign nationals which do not involve the disclosure of classified information. Unclassified contact of foreign nationals with a DoD command or activity for unofficial purposes such as routine courtesy calls, visits with foreign nationals attached to Marine Corps commands (e.g., exchange personnel or students), or frequent and informal visits that are conducted in the routine performance of duty (e.g., bases located in foreign countries). Such visits are subject to general security requirements outlined in reference (f). Unofficial visits do not require Headquarters Marine Corps approval. These visits may be arranged directly with the command to be visited. Requests for visits received by Marine Corps commands other than as described above will be passed immediately to the Director of Intelligence. Commanders should advise requesting parties that approval rests with Headquarters Marine Corps.

8. This paragraph canceled via MCO 5510.20

9. Visits to Force Radio Battalion. Any visits by foreign representatives to either of the Force Radio Battalions for classified discussions require the additional approval of the Director, National Security Agency/Chief, Central Security Service (Attn: Q3). This additional approval is not required for visits to nonoperational or sanitized areas, provided matters discussed are nonoperational and unclassified.

10. Visits to Afloat Units. Basic policy concerning the visit of personnel to afloat units is contained in references (b) and (f). The applicability of these directives is not affected by this Order.

11. Embarkation in U.S. Marine Corps Aircraft. The Commandant of the Marine Corps may authorize the embarkation of foreign nationals in USMC aircraft for the purpose of practical demonstration, orientation, or training. Basic policy concerning such embarkations is contained in reference (g). The disclosure of classified information in connection with such embarkations must be in consonance with reference (b). The applicability of these directives is not affected by this Order.

12. Long-Term Assignments of Foreign Nationals to U.S. Marine Corps Activities. The procedures outlined above are primarily

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designed for single occasion visits for a specified purpose. For those instances requiring visits of a longer duration, such as in the case of participants in the Marine Corps Foreign Personnel Exchange Program, the provisions of part II, chapter 4 of reference (b) are applicable. Host activities are reminded that security is a responsibility of command, and that long-term assignments of foreign nationals require constant vigilance to preclude the unauthorized disclosure of classified information.

13. Training of Foreign Nationals. The training of foreign nationals is administered per reference (h). Basic policy concerning this type of training is contained in reference (h). Foreign nationals are permitted to take part in classified training provided it has been authorized per procedures outlined in references (b) and (h). The applicability of these directives is not affected by this Order.

14. Foreign Leave/Travel. Marines traveling abroad must comply with the following:

a. Reference (i) refers to securing foreign area clearances. CMC (INT and P) will appear as addressees on the requesting message in addition to those addressees already required by reference (i).

b. Passports and visas will be processed by the CMC (MMOS-5), per reference (j).

c. Marines desiring to take foreign leave travel must comply with reference (k).

d. Prior to travel, the cognizant HQMC staff agency will review briefing requirements.

e. Travelers will coordinate with the U.S. defense attaches in the countries visited, as appropriate.

f. On return to CONUS, travelers may be required to brief HQMC cognizant staff agencies in addition to the CMC (INT and P). Additionally, trip/after-action report requirements will be determined by the cognizant HQMC agency prior to commencement of travel.

15. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.



J. J. WENT
Assistant Commandant
of the Marine Corps and
Chief of Staff

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DEFINITIONS

1. Disclosure. The term "disclosure" when used in a specific sense and when applied to specific items, transactions, or instances, means to expose to view or hearing; to permit the transfer of knowledge or information, but not to physically transfer documents, material, or equipment to a foreign government or its representative. The purpose of this term is to permit U.S. personnel to conduct such functions as classroom training, briefings, discussions, demonstrations, or exercises for appropriately cleared foreign personnel.

2. Foreign National. The term "foreign national" includes any person who is not a U.S. citizen, immigrant alien, or U.S. national. Any persons representing foreign governments, foreign private interests, or other foreign nationals are considered to be foreign nationals for purposes of this Order.

3. Foreign Representative. Any individual, regardless of citizenship or country of origin, who represents a foreign government or other foreign interest including companies incorporated in the U.S., but under foreign ownership, control, or influence (a foreign firm that has ownership of at least 51 percent of the voting stock) in dealings with a DoD component or contractor.

4. Functional Accreditation. Recognition by a DoD component of working relations with a foreign representative, who is a resident in the United States, for a specific purpose and on a recurring basis. Such foreign representatives may or may not be diplomatically accredited. In the Marine Corps, functional accreditations are restricted to commands/activities located in the Washington, DC, commuting area.

5. Visit (Official). Contact by representatives of a foreign government with a DoD component or DoD contractor's facility for a single occasion and for a specified purpose. Official visits by foreign representatives to DoD components or to DoD contractors' facilities for military purposes must be officially sponsored by a foreign government or international organization. For the purposes of this Order, official visits are those wherein there will be substantive or technical discussions or when classified information will be discussed.

6. Visit (Unofficial). Unclassified contact of foreign representatives with a DoD command/activity for unofficial purposes.

ENCLOSURE (1)

PROCEDURES FOR OFFICIAL VISITS/FUNCTIONAL ACCREDITATION

1. Requests for official visits or functional accreditation to Marine Corps commands/activities are submitted in writing by the sponsoring foreign government or international organization to the Navy Office of Technology Transfer and Security Assistance (NAVOTTSA). Official visit requests from unified and specified commands will be coordinated with that command, with an information copy to be forwarded to the CMC (INTM). Accredited attaches of foreign governments and international organizations have been provided guidance on this submission by "The Guide for Foreign Attaches Accredited to the Department of the Navy." Requests for official visits shall be submitted at least 30 days prior to the commencement date of the proposed visit. Requests for functional accreditation should be submitted 90 days in advance. The difference between a visit request and a functional accreditation is that a visit request cannot be for more than 1 year for a specific purpose, while a functional accreditation is for individuals who have a requirement to periodically visit Marine Corps activities. Functional accreditation is normally granted for a 2-year period.

2. NAVOTTSA forwards requests for official visits/functional accreditation to Marine Corps commands/activities to the CMC (INTM). This office reviews the incoming request and then forwards it to the appropriate Marine Corps staff agency/activity for recommendations/approval.

3. The action agency/activity reviews the request and, if required, coordinates with the command/activity to be visited to determine the feasibility of the proposed visit. The command/activity to be visited reviews the request, and if the visit is feasible provides the action agency/activity with the following information:

- a. Name and grade of action officer
- b. Title/office of action officer
- c. Action officer's AUTOVON telephone number
- d. Action officer's commercial telephone number
- e. Recommended disclosure level
- f. Limits of disclosure level (Recommended disclosure level of confidential or higher must include restrictions; i.e., specific programs, documents, or equipment to which the visitor will be exposed. Recommendations provided without restrictions will be forwarded as an unclassified recommendation.)
- g. Remarks/comments

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4. The action agency/activity forwards the recommendation of the command/activity to be visited to the CMC (INTM) who returns the request to NAVOTTSA with the Marine Corps recommendation. NAVOTTSA will approve the visit based on the Marine Corps recommendation and will so advise both the CMC (INTM) will advise the command/activity to be visited. This notification will be in the form of record correspondence and a copy will be provided to the action agency/activity and NAVOTTSA. The limits of disclosure authorized and restrictions imposed must not be disclosed to the foreign representative, although the foreign representative must be advised of the classification of the information actually disclosed in order that adequate protection may be given to that information. A disclosure authorization should be considered permissive only. If the purpose of the visit can be accomplished by the disclosure of information of lesser classification than that authorized, the command, activity, or installation to be visited should limit discussion to the lower level.

5. If a proposed official visit is not feasible, the command/activity to be visited will so advise the action agency/activity. If the visit can be accommodated at an alternate date, this alternative date should be provided. The criteria for determining whether or not a visit should be hosted cannot be strictly defined and are left to the command's discretion. If approval of the visit is not recommended, the CMC (INTM) will return the request to NAVOTTSA with the Marine Corps recommendation. NAVOTTSA will disapprove the visit and so advise both the foreign embassy and the CMC (INTM) who will advise the command/activity to be visited. This notification will be provided in the form of appropriate record foreign correspondence and a copy will be provided to the action agency/activity and NAVOTTSA.

6. Official visits of foreign nationals to Headquarters Marine Corps require the same action/information to be obtained as contained in paragraphs 3a through g, above.

7. Requests for official visits that are received through other than approved channels will be returned with instructions to the requesters to address such to NAVOTTSA via their accredited Washington attaches. Foreign visit requests which do not meet disclosure criteria or are not accompanied by sufficient detail on which to base a decision will be denied or returned for further justification, as appropriate.

8. Requests for functional accreditation are reviewed by the action agency/activity who informs the CMC (INTM) of its recommendation. The CMC (INTM) forwards the recommendation to NAVOTTSA who will approve/disapprove the request based on the Marine Corps recommendation. NAVOTTSA will advise both the foreign embassy and the CMC (INTM) who will advise the action/activity. This notification will be provided in the form of appropriate record correspondence, and a copy will be provided to NAVOTTSA. Foreign representatives that have been

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extended functional accreditation are authorized to visit only the specified command and/or activity subject to the terms of the individual's accreditation.

9. Following the approval of an official visit request, the pertinent foreign embassy is required to give the command/activity to be visited at least 2 working days advance notice of the actual date and time of the visitor's arrival. All activities have the prerogative of refusing to host any foreign visitor who arrives without having given such notice. Host activities may delay or refuse a classified visit if the visitor arrives prior to the receipt of appropriate approval.

10. The host command/activity to be visited is required to appoint a contact officer for each foreign visit. This contact officer is responsible for controlling the activities of the foreign visitor(s) and for ensuring that the disclosure of classified information is strictly in conformance with the disclosure authorization provided by higher authority.

11. A disclosure authorization for a visit does not include authority for the provision of classified documents, unless this is explicitly stated in the disclosure authorization. If a requirement to provide classified documents to the visitor should develop during a visit, such documents should be processed for disclosure in accordance with Part II, Chapter I of OPNAVINST 5510.48J.

12. Any unusually persistent efforts on the part of a foreign visitor to obtain information which is not authorized for disclosure should be reported to the visit approving authority.

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PROCEDURES FOR DOCUMENT REQUESTS

1. The release of unclassified/classified documents or publications originated by or for the Marine Corps is governed by the Security Assistance Management Manual (DoD 5105.38-M) and SECNAVINST 5720.42, Department of Navy Freedom of Information Act (FOIA) Program. All requests for U.S. classified information or documents by a foreign government or international organization must be originated by an official agency of the requesting country and must be submitted through established government-to-government channels. For the Department of the Navy, all such requests are initially forwarded to NAVOTTSA. NAVOTTSA forwards requests for unclassified/classified documents or publications originated by or for the Marine Corps to the CMC (INTM). This office reviews the incoming request and then forwards it to the appropriate Marine Corps staff action agency/activity for recommendations/approval.

2. The action agency/activity reviews the request for appropriateness and if appropriate, coordinates with the command/activity that originated the document to determine the releasability of the requested document or publication.

3. After the completion of its review and any required coordination, the action agency/activity forwards its recommendation to the CMC (INTM).

a. If release is recommended at the unclassified or confidential level, the CMC (INTM) will approve the requested release and so advise the CMC (ARE). A copy of this approval will be provided to the action agency/activity and NAVOTTSA. The CMC (ARE) will review the request for release to ensure that it includes the identification of an appropriate Foreign Military Sales (FMS) Case to which the cost of the requested documents or publications can be charged.

(1) If an appropriate FMS Case is cited, the CMC (ARE) will provide the requested documents to an appropriate official of the requesting government or international organization.

(2) If an appropriate FMS Case is not cited, the CMC (ARE) will return the request to NAVOTTSA with the Marine Corps recommendation and with a request for an appropriate FMS Case.

b. If release is recommended at the secret or higher level, the CMC (INTM) will return the request to NAVOTTSA with the Marine Corps recommendation. NAVOTTSA will approve the request based on the Marine Corps recommendation and will so advise the CMC (INTC) who will so advise the CMC (ARE). The CMC (ARE) will review the request for release to ensure that it includes the identification of an appropriate Foreign Military Sales (FMS) Case to which the cost of the requested documents or publications can be charged. The remaining action will be the same as outlined in subparagraphs 3a(1) and (2), above.

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c. If release is not recommended, the CMC (INTM) will disapprove the request and so advise the requesting foreign embassy. This notification will be provided in the form of appropriate record correspondence, and a copy will be provided to the action agency/activity and NAVOTTSA.

4. Proposals or requests originated by Marine Corps agencies/activities to release classified material will be referred, via the chain of command, to the CMC (INTM). The procedures for release are the same as outlined in paragraphs 3a through c, above.

5. It is the policy of the Department of the Navy to release military information to foreign requesters only on a government-to-government basis, aside from requests for information under the Freedom of Information Act (FOIA), and are acted on in accordance with the regulations covering such requests. Therefore, unofficial requests (i.e., those originated by foreign nationals, institutions, commercial firms, etc., for information of documentation which are not forwarded through established government-to-government channels) should be disposed of by one of the following means:

a. Return the request to the originator, advising to submit the request through diplomatic channels or, if appropriate, refer to a source of publicly available information such as the Government Printing Office.

b. Forward the request to the pertinent foreign embassy for action as they may deem appropriate.

c. Forward the request to NAVOTTSA.

6. Any classified document released to a foreign government or international organization will be marked as follows:

This information is furnished upon the condition that it or knowledge of its possession will not be released to another nation without specific authority of the Department of the Navy of the United States; that it will not be used for other than military purposes; that individual or corporate rights originating in the information, whether patented or not, will be respected; that the information will be provided the same degree of security afforded it by the Department of Defense of the United States.

The above marking is in addition to any classification or special handling markings which may be required in accordance with other applicable directives.

7. Frequently, documentation is determined to be releasable to foreign governments only after specified portions have been deleted. This procedure is generally known as sanitization. Sanitization can be accomplished in a variety of ways:

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a. Complete reprint of a document to remove nonreleasable portions. This is an expensive and time-consuming procedure and is not normally feasible.

b. Physical removal of entire pages, chapters, or sections. Whenever possible, this is the preferred method.

c. Deletion of portions of pages. This type of sanitization often poses administrative problems. Whenever required, it is important that it be done properly by completely blanking out the nonreleasable words, sentences, paragraphs, etc., and then reproducing the entire page. The reverse side of a sanitized page must also be reproduced. The sanitized pages are then substituted for the original pages. In no case will documents be sanitized by attempts to obliterate or mark-out nonreleasable portions (i.e., using pencil, ink, tape, etc.) since this is not an effective means of accomplishing the objective. Table of contents, indexes, list of effective pages, etc., must also be appropriately sanitized.

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